



Norfolk District

**US Army
Corps of Engineers**

CENAO-TSD-OPS

FEBRUARY 3, 2005

PUBLIC NOTICE

33 CFR 337.7

The District Engineer, Norfolk District, proposes to maintenance dredge, on a one-time emergency basis, the entrance channel to Rudee Inlet, Virginia Beach, VA.

Location of the Proposed Action

The project is located in the entrance channel to Rudee Inlet, at Virginia Beach, Virginia.

Proposed Action

Rudee Inlet is rapidly shoaling to depths that threaten safe navigation within the inlet and may eventually prohibit all vessel traffic through the inlet. The shoaling has created a potential hazard to life or navigation that could result in a significant loss of property and requires immediate remedy in a time less than is traditionally needed under normal procedures. This proposal is based on the procedures set forth in 33 CFR Part 337.7 for emergency dredging.

The District Engineer proposes to use a side-casting dredge, on a one time emergency basis, to remove approximately 9,000 cubic yards of sand and place it on either adjacent side of the inlet channel. The channel and placement site are shown as attachments to this notice. The District presently has existing state permits to maintenance dredge the Inlet using a hydraulic cutterhead dredge or "Currituck" class hydraulic special purpose dredge. The photograph of a typical dredge proposed to be employed is attached to this notice. The material is currently permitted by the Virginia Department of Environmental Quality and the Virginia Marine Resources Commission to be transported by pipeline or barge and placed along the Virginia Beach oceanfront.

The activity will take place as soon as a side-casting dredge can arrive on scene. Dredging may begin as early as Saturday, February 5, 2005.

Authority

The one time emergency dredging will be conducted under authority of 33 CFR 337.7 Emergency actions. The action will be conducted in accordance with the Clean Water Act of 1977 and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972. A Section 404(b)(1) evaluation of the material will be performed and will be on file at Norfolk District.

Coordination of the Application

The Federal, state, and local agencies with which the proposed action has been or will be coordinated are:

Federal

Environmental Protection Agency
National Marine Fisheries Service
U.S. Coast Guard
U.S. Fish & Wildlife Service
U.S. Navy

State

Virginia Marine Resources Commission
Virginia Department of Environmental Quality

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; (3) there will be no substantial adverse effect on Essential Fish Habitat; and (4) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. The project will be undertaken in a manner consistent with the Coastal Zone Management Act of 1972, as amended as the only deviation from currently permitted maintenance dredging will be the use of a side-casting dredge and the placement of material overboard, but closer to the channel. The material is clean sand and is normally placed on the beach to the north of the channel.

Comment Period

Comments on this project should sent immediately to Norfolk District, Corps of Engineers (ATTN: CENAO-TS_OD), 803 Front Street, Norfolk, Virginia 23510-1096, or Faxed to (757) 201-7664, or phoned to (757) 201-7616.

If you have any questions about this project or the process, call

Greggory Williams at 757-201-7616

Yvonne J. Prettyman-Beck

Date:

Colonel, USA

District Engineer, Norfolk District

Records (OPS)
Reading
Tech Supt (Lockwood)
Design (Williams)

LOCKWOOD

WILLIAMS

WARING

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RUDEE INLET
EMERGENCY DREDGING
FEDERAL NAVIGATION PROJECT
VIRGINIA BEACH, VIRGINIA
FEBRUARY 3, 2005

ENVIRONMENTAL ASSESSMENT

Prepared By:
U.S. Army Corps of Engineers
Operations Branch
803 Front Street
Norfolk, VA 23510-1096

February 3, 2005

- 1.00 Project Location:** Rudee Inlet is located in Virginia Beach, Virginia.
- 2.00 Project Description:** An Environmental Assessment (EA) for Rudee Inlet Federal Navigation Project was prepared and coordinated on October 14, 1983. An EA for emergency dredging in Rudee Inlet was prepared and coordinated on November 20, 2002. The proposed activity involves using a side-casting dredge and placing the material alongside the channel. The dredged material will come from the area that consists mostly of sand.
- 3.0 Continued Need:** This activity constitutes a one-time use of a side-casting dredge. It is anticipated that scheduled future dredging will employ a hydraulic type dredge such as the “Currituck” class special purpose dredge and hydraulic cutter head pipeline dredges.
- 4.0 Current Shoaled Project Conditions:** A portion of the channel is rapidly shoaling and is significantly shallower than the authorized depths. This has created unsafe conditions for navigation.
- 5.0 Fish and Wildlife:** The proposed activity should not impact the habitat beyond normal dredging activities in the waterway.
- 6.0 Endangered and Threatened Species:** Endangered or threatened species will not be affected by the proposed project. There are three species of endangered or threatened turtles that have been observed in the area; the Atlantic ridley (*Hepidochelys Kempfi*), Atlantic loggerhead (*Caretta caretta*), and Atlantic green (*Cheloni mydas*). However, sea turtles do not use Virginia waters during the winter months when water temperatures fall below 50°C.
- 7.0 Essential Fish Habitat:** The habitat that this project would affect consists of a semidiurnal tidal waterway, with a current average depth of minus 14 feet at mean lower low water. The dredging should not have substantial adverse effects on EFH.
- 8.0 Subaqueous Vegetation:** The area being dredged and the placement location constitute a dynamic oceanfront setting with too much wave energy to expect subaqueous vegetation.
- 9.0 Water Quality:** Minimal impacts to water quality are anticipated since the dredged material consists mainly of sand.
- 10.0 401 Water Quality Certification:** The Norfolk District has a Virginia Water Protection Permit from the Department of Environmental Quality for placing the material in the surf zone along the adjoining beach. However, the proposed activity will place the material adjacent to the Federal channel.

11.0 Historical and Cultural Resources: There will not be any adverse impacts to historically or culturally significant resources.

12.0 Recreation: Dredging may have a temporary impact on routine navigation within the inlet. However, dredging will provide safe navigation for an extended period until routine dredging maintains the channel.

13.0 Alternatives to Proposed Action: The no action alternative will allow unsafe navigation to continue for an indefinite period of time.

14.0 Agency Coordination: The following agencies will be coordinated with during the NEPA process:

National Marine Fisheries Service
U.S. Coast Guard
Environmental Protection Agency
U.S. Fish and Wildlife Agency
Virginia Institute of Marine Science
Virginia Marine Resources Commission
Virginia Department of Environmental Quality
City of Virginia Beach

15.0 Conclusions and Recommendations: The emergency maintenance dredging of Rudee Inlet is necessary to preserve the safety of navigation and protect against the loss of property and life. This activity will temporarily resolve a very serious navigational hazard and allow a more traditional maintenance approach in the next few months. The conditions and intent set forth in the existing permits will be followed to the extent practicable. Any environmental impacts will be minimized as practicable. However, use of the equipment described in this assessment appears to be the most practicable immediate solution to this situation.

**SECTION 404 (B) (1) PRELIMINARY EVALUATION
EMERGENCY DREDGING
RUDEE INLET FEDERAL NAVIGATION PROJECT
VIRGININA BEACH, VIRGINIA**

I. General Physical Characteristics:

The material to be placed in a subaqueous environment is predominantly granular sand. The material is normally placed in the surf zone along the public beachfront of Virginia Beach.

II. Biological Characteristics:

The project will have only minimal effects on the benthic community, although some organisms that inhabit the channel will be lost. No vegetated wetlands or SAV will be destroyed by the placement of material. Dredging the project channel to a depth of up to -14 feet MLLW is not expected to affect essential fish habitat (EFH) in the Inlet.

III. Contaminants:

The dredged material is considered clean sand and is normally used for beach replenishment.

IV. Effects on Human Health:

The project will not result in significant adverse effects on water supplies, recreation, plankton, fish, shellfish, wildlife, special aquatic sites, or any aspect of human health.

V. Determination of Compliance:

- a. The project as proposed represents the least environmentally damaging alternative while providing the maximum overall benefits.
- b. A Water Protection Permit was issued by the Virginia Department of Environmental Quality, Water Division, in compliance with Section 401 of the Clean Water Act (26 Jun 2003). The project will be conducted in accordance with the permit except that a side-caster dredge will conduct the dredging and the material will be pumped alongside the channel.
- c. No endangered species or their habitats will be impacted by the project as proposed.

- d. All appropriate and practicable steps have been taken to minimize potential adverse effects of the dredged material placement on the aquatic ecosystem.

Colonel Yvonne J. Prettyman-Beck
Commander & District Engineer
Norfolk District, U.S. Army Corps of Engineers

Date:

